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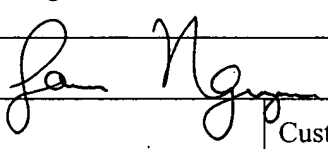
PTO/SB/21 (6-99)


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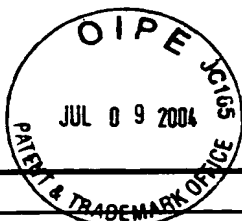
 <b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/765,768	
	<b>Filing Date</b>	January 26, 2004	
	<b>First Named Inventor</b>	Steven Y. NG et al.	
	<b>Group/Art Unit</b>	1711	
	<b>Examiner Name</b>	Unassigned	
<b>Total Number of Pages in This Submission</b>	8	<b>Attorney Docket Number</b>	10008-7184C

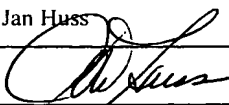
ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Information Disclosure Statement (2 pgs), PTO-1449 (1 sheet), and 9 references <input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): stamped return postcard
<b>Remarks</b>		
AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Firm or Individual name	Sam L. Nguyen, Reg. No. 52,496, HELLER EHRMAN WHITE & McAULIFFE LLP		
Signature			
Date	July 9, 2004	Customer Number:	25213

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I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450			
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Typed or printed name	Jan Hues		
Signature		Date	July 9, 2004

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Express Mail Label EL 993 692 235 US			
Typed or printed name	Jan Huss		
Signature		Date	July 9, 2004

PATENT

Attorney Docket No. 10008-7184C

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application	)	
Inventor(s): Steven Y. Ng et al.	)	Confirmation No. 1928
	)	
Application No.: 10/765,768	)	Art Unit: 1711
	)	
Filed: January 26, 2004	)	Examiner: Not Assigned
	)	
Title Pharmaceutical Compositions Using Semi-Solid Delivery Vehicle	)	
	)	

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

MAIL STOP: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☐ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 10008-7184).

Respectfully submitted,

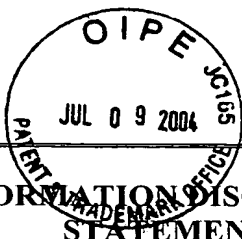
HELLER EHRMAN WHITE & MCAULIFFE LLP

Dated: July 9, 2004

By: Sam L. Nguyen

Sam L. Nguyen, Reg. No. 52,496

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Menlo Park, CA 94025-3506  
(650) 324-7000  
Customer No. 25213



<b>INFORMATION DISCLOSURE STATEMENT</b>  <b>PTO-1449</b>			ATTY. DOCKET NO. <b>10008-7184C</b>		SERIAL NO. <b>10/765,768</b>		
			APPLICANT Steven Y. Ng et al.				
			FILING DATE January 26, 2004		GROUP: 1711		
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	4,079,038	3/14/1978	Choi <i>et al.</i>	260	047		
	4,093,709	6/6/1978	Choi <i>et al.</i>	424	019		
	4,131,648	12/26/1978	Choi <i>et al.</i>	424	022		
	4,138,344	2/6/1979	Choi <i>et al.</i>	252	001		
	4,180,646	12/25/1979	Choi <i>et al.</i>	528	153		
	4,304,767	12/8/1981	Heller <i>et al.</i>	424	078		
	4,946,931	8/7/1990	Heller <i>et al.</i>	528	230		
	5,968,543	10/19/1999	Heller <i>et al.</i>	424	425		
<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
	Yolles <i>et al.</i> "Polymer News" 1: 9-15 (1970)						
EXAMINER				DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.